

S/N 09/477,977

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	John H. Burton et al.	Examiner:	Lee S Cohen
Serial No.:	09/477,977	Group Art Unit:	3739
Filed:	January 05, 2000	Docket:	825.001US2
Title:	IMPLANTABLE DEVICE AND METHOD FOR ADJUSTABLY RESTRICTING A BODY LUMEN		

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In compliance with the duty imposed by 37 C.F.R. § 1.56, and in accordance with 37 C.F.R. §§ 1.97 *et. seq.*, the enclosed materials are brought to the attention of the Examiner for consideration in connection with the above-identified patent application. Applicants respectfully request that this Supplemental Information Disclosure Statement be entered and the documents listed on the attached Form 1449 be considered by the Examiner and made of record. Pursuant to the provisions of MPEP 609, Applicants request that a copy of the 1449 form, initialed as being considered by the Examiner, be returned to the Applicants with the next official communication.

Pursuant to 37 C.F.R. §1.97(c)(2), Applicants hereby authorize the Commissioner to charge the fee of \$180.00 as set forth in 37 C.F.R. §1.17(p), to Deposit Account No. 19-0743. Please charge any additional fees or credit any overpayment to Deposit Account No. 19-0743.

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Dkt: 825.001US2

Pursuant to 37 C.F.R. 1.98(a)(2), Applicant believes that copies of cited U.S. Patents and Published Applications, and Non-Published Applications identifiable by USPTO Serial Number, are no longer required to be provided to the Office. Notification of this change to this effect was provided in the United States Patent and Trademark Office OG Notices dated October 12, 2004 and October 19, 2004. Thus, Applicant has not included copies of any US Patents or US Patent Applications identifiable by serial number that may be cited with this submission. Should the Office require copies to be provided, Applicant respectfully requests that notice of such requirement be directed to Applicant's below-signed representative. Applicant acknowledges the requirement to submit copies of foreign patent documents and non-patent literature in accordance with 37 C.F.R. 1.98(a)(2).

The Examiner is invited to contact the Applicants' Representative at the below-listed telephone number if there are any questions regarding this communication.

Respectfully submitted,

JOHN H. BURTON ET AL.

By their Representatives,

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Minneapolis, MN 55402
(612) 373-6912

Date

July 27, 2007

By



Timothy E. Bianchi
Reg. No. 39,610

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this

27 day of July 2007.

Name

John D. Gensler-Watthell

Signature

John D. Gensler-Watthell

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="text-align: center;"><i>Complete if Known</i></td> </tr> <tr> <td style="width: 40%;">Application Number</td> <td>09/477,977</td> </tr> <tr> <td>Filing Date</td> <td>January 5, 2000</td> </tr> <tr> <td>First Named Inventor</td> <td>Burton, John</td> </tr> <tr> <td>Group Art Unit</td> <td>3739</td> </tr> <tr> <td>Examiner Name</td> <td>Cohen, Lee</td> </tr> </table>	<i>Complete if Known</i>		Application Number	09/477,977	Filing Date	January 5, 2000	First Named Inventor	Burton, John	Group Art Unit	3739	Examiner Name	Cohen, Lee
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US PATENT DOCUMENTS				
Examiner Initial *	USP Document Number	Publication Date	Name of Patentee or Applicant of cited Document	Filing Date If Appropriate
/LC/	US-3,138,161	06/23/1964	ALLEN, D. L.	02/25/1963
/LC/	US-5,547,472	08/20/1996	Onishi, M., et al.	01/19/1995

FOREIGN PATENT DOCUMENTS				
Examiner Initials*	Foreign Document No	Publication Date	Name of Patentee or Applicant of cited Document	T ²

OTHER DOCUMENTS – NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		T ²
/LC/		"Application Serial No. 08/873,444 (Atty. Ref. 825.001US1) Final Office Action mailed 8-5-98", 9 pgs.		
		"Application Serial No. 08/873,444 (Atty. Ref. 825.001US1) Final Office Action mailed 9-27-99", 6 pgs.		
		"Application Serial No. 08/873,444 (Atty. Ref. 825.001US1) Non-Final Office Action mailed 1-13-98", 8 pgs.		
		"Application Serial No. 08/873,444 (Atty. Ref. 825.001US1) Non-Final Office Action mailed 2-3-99", 6 pgs.		
		"Application Serial No. 08/873,444 (Atty. Ref. 825.001US1) Non-Final Office Action mailed 2-4-99", 7 pgs.		
		"Application Serial No. 08/873,444 (Atty. Ref. 825.001US1) Notice of Allowance mailed 2-22-00", 4 pgs.		
		"Application Serial No. 08/873,444 (Atty. Ref. 825.001US1) Response to Final Office Action filed 11-1-99", 2 pgs.		
		"Application Serial No. 08/873,444 (Atty. Ref. 825.001US1) Response to Final Office Action filed 11-5-98", 12 pgs.		
		"Application Serial No. 08/873,444 (Atty. Ref. 825.001US1) Response to Final Office Action filed 12-3-98", 9 pgs.		
		"Application Serial No. 08/873,444 (Atty. Ref. 825.001US1) Response to Non-Final Office Action filed 5-13-98", 16 pgs.		
		"Application Serial No. 08/873,444 (Atty. Ref. 825.001US1) Response to Non-Final Office Action filed 7-6-99", 6 pgs.		
		"Application Serial No. 08/928,946 (Atty. Ref. 825.002US1) Notice of Allowance mailed 5-3-99", 11 pgs.		
		"Application Serial No. 09/345,884 (Atty. Ref. 825.002US2) Non-Final Office Action mailed 3-19-01", 8 pgs.		
		"Application Serial No. 09/345,884 (Atty. Ref. 825.002US2) Non-Final Office Action mailed 9-29-00", 9 pgs.		
↓		"Application Serial No. 09/345,884 (Atty. Ref. 825.002US2) Notice of Allowance mailed 2-11-02", 6 pgs.		

EXAMINER

/Lee Cohen/

DATE CONSIDERED

08/03/2007

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	09/477,977
Filing Date	January 5, 2000
First Named Inventor	Burton, John
Group Art Unit	3739
Examiner Name	Cohen, Lee

Sheet 2 of 2

Attorney Docket No: 825.001US2

OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
/LC/		"Application Serial No. 09/345,884 (Atty. Ref. 825.002US2) Response to Non-Final Office Action filed 12-28-00", 7 pgs.	
		"Application Serial No. 09/345,884 (Atty. Ref. 825.002US2) Response to Non-Final Office Action filed 7-13-01", 8 pgs.	
		"Application Serial No. 10/167,565 (Atty. Ref. 825.002US3) Non-Final Office Action mailed 2-11-03", 6 pgs.	
		"Application Serial No. 10/167,565 (Atty. Ref. 825.002US3) Notice of Allowance mailed 5-30-03", 8 pgs.	
		"Application Serial No. 10/167,565 (Atty. Ref. 825.002US3) Response to Non-Final Office Action filed 5-9-03", 7 pgs.	
		"Application Serial No. 10/673,028 (Atty. Ref. 825.002US4) Non-Final Office Action mailed 6-2-04", 7 pgs.	
		"Application Serial No. 10/932,414 (Atty. Ref. 825.002US5) Final Office Action mailed 6-15-07", 9 pgs.	
		"Application Serial No. 10/932,414 (Atty. Ref. 825.002US5) Non-Final Office Action mailed 2-12-07", 8 pgs.	
		"Application Serial No. 10/932,414 (Atty. Ref. 825.002US5) Non-Final Office Action mailed 4-17-06", 9 pgs.	
		"Application Serial No. 10/932,414 (Atty. Ref. 825.002US5) Notice of Allowance mailed 10-23-06", 5 pgs.	
		"Application Serial No. 10/932,414 (Atty. Ref. 825.002US5) Response to Non-Final Office Action filed 5-14-07", 8 pgs.	
		"Application Serial No. 10/932,414 (Atty. Ref. 825.002US5) Response to Non-Final Office Action filed 7-7-06", 7 pgs.	
		"Application Serial No. 10/932,414 (Atty. Ref. 825.002US5) Supplemental Notice of Allowability mailed 11-27-06", 2 pgs.	
↓		"Application Serial No. 11/120,631 (Atty. Ref. 825.001US3) Non-Final Office Action mailed 8-24-06", 7 pgs.	

EXAMINER

/Lee Cohen/

DATE CONSIDERED

08/03/2007

Substitute Disclosure Statement Form (PTO-1449)

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 809. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional) 2 Applicant is to place a check mark here if English language Translation is attached